

SENATE BILL 1062

By Harris

AN ACT to amend Tennessee Code Annotated, Title 4,
Chapter 21 and Title 50, relative to conviction
history of certain applicants.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 21, Part 1, is amended by
adding the following language as a new section:

(a) As used in this section:

(1) "Law enforcement agency" means a lawfully established state or local
public agency that is responsible for the prevention and detection of crime, local
government code enforcement, and the enforcement of penal, traffic, regulatory,
game, or controlled substance laws;

(2) "Political subdivision" means any municipality or county, including any
county having a metropolitan form of government; and

(3) "State agency" means any department, commission, board, office, or
other agency of the executive, legislative, or judicial branch of state government.

(b) A state agency or political subdivision shall not ask an applicant for
employment to disclose, orally or in writing, information concerning the conviction history
of the applicant, including any inquiry about conviction history on any employment
application, until the state agency or political subdivision determines that the applicant
meets the minimum employment qualifications as provided in any notice issued for the
position.

(c) This section shall not apply to a position for which a state agency or political subdivision is otherwise required by federal law to conduct a criminal background check or to a position within a law enforcement agency.

(d) This section shall not prevent a state agency or political subdivision from conducting a criminal background check after complying with subsection (b).

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.